

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

NORTH AMERICAN SPECIALTY  
INSURANCE COMPANY,

Case No. 20-10539

Plaintiff,

SENIOR U.S. DISTRICT JUDGE  
ARTHUR J. TARNOW

v.

MAGISTRATE JUDGE  
DAVID R. GRAND

TITAN RETAIL DEVELOPMENT  
INDUSTRIES, LLC, ET AL,

Defendants.

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**ORDER ADOPTING REPORT AND RECOMMENDATION [94] AND GRANTING  
PLAINTIFF’S MOTION TO VOLUNTARILY DISMISS CLAIMS AGAINST NADIA AND  
STAMATIOS VLAHOS WITHOUT PREJUDICE**

On July 16, 2021, Plaintiff moved to voluntarily dismiss its claims against Defendants Nadia and Stamatios Vlahos (“the Vlahoses”) without prejudice. (ECF No. 78). The Vlahoses responded in opposition on July 27, 2021, arguing the Court should either condition voluntary dismissal without prejudice on Plaintiff’s payment of their defense costs, or dismiss Plaintiff’s claims *with* prejudice. (ECF No. 80, PageID.1231). Plaintiff replied on August 3, 2021. (ECF No. 83).

On August 4, 2021, the Court referred Plaintiff's Motion [78] to the Magistrate Judge. (ECF No. 84). The Magistrate Judge held a hearing on September 21, 2021, and issued a Report and Recommendation ("R&R") on November 22, 2021, recommending that Plaintiff's Motion [78] be granted. (ECF No. 94). No objections were filed within the fourteen-day period for filing objections.

The Court having reviewed the record, the R&R [94] is hereby **ADOPTED** and entered as the findings and conclusions of the Court.

Accordingly,

**IT IS ORDERED** that Plaintiff's Motion to Voluntarily Dismiss Claims Against Nadia and Stamatios Vlahos without Prejudice [78] is **GRANTED**.

**SO ORDERED.**

Dated: January 5, 2022

s/Arthur J. Tarnow  
Arthur J. Tarnow  
Senior United States District Judge